



Village of Canal Winchester
36 South High Street
Canal Winchester, Ohio 43110-1213

Village Council
September 4th, 2007
7:00 PM immediately follow Public Hearings

Minutes

Call to Order:

The Council of the Village of Canal Winchester met on the above date for its regularly scheduled meeting and was called to order by Dr. Bender.

Pledge of Allegiance:

Lead by Mr. Donahue

Roll Call:

Present for roll call was: Dr. Bender, Mr. Donahue, Ms. Eisnaugle, Mr. Jarvis, Ms. Mershon,
Mr. Paini

Mr. Jarvis moved to excuse Mrs. Turner due to a death in the family. Mr. Donahue seconded the motion.

VOTE: **AYES:** **Mr. Donahue, Ms. Mershon, Ms. Eisnaugle, Mr. Paini,**
 Mr. Jarvis, Dr. Bender

NAYS:

Approval of Minutes:

Mr. Mershon moved to approve the minutes of the August 30th, 2007 Regular Council meeting, August 30th, 2007 Public Hearings. Ms. Eisnaugle seconded the motion. Motion carried.

VOTE: **AYES:** **Mr. Donahue, Ms. Mershon, Ms. Eisnaugle, Mr. Paini,**
 Mr. Jarvis, Dr. Bender

NAYS:

Communications & Petitions:

Suspend reading of the proclamation of the constitution week, until next meeting until the members of the constitution committee are present.

Informal communication made to table discussion about changing of the logo until Ms. Turner was available as she would like to personally participate.

Tony Note of 126 E. Columbus St. would like to congratulate the council for hopefully enacting the child sex-offender ordinance. He thinks it is a good thing for the committee. Also he is against the proposed marketing logo. He feels it undermines the vibrant progress historical charm of the village. Also he disagrees with the tagline. Suggest tabling issue or vote it down tonight.

Jeffrey Bond of 36 Washington St addresses the logo issue. He opposes logo as the community was not included in the design. Feels that the logo is bland and does not express the uniqueness of the community.

1st Reading

O-09-07A AN ORDINANCE TO AUTHORIZE THE VILLAGE TO PARTICIPATE WITH
MADISON TOWNSHIP AND HAMILTON TOWNSHIP IN THE SALE OF
UNNEEDED, OBSOLETE OR UNFIT PERSONAL PROPERTY OF THE VILLAGE
AT AUCTION ON SEPTEMBER 15, 2007

VOTE:

AYES: Ms. Mershon, Mr. Donahue, Mr. Paini, Mr. Jarvis,
Ms. Eisnaugle, Dr. Bender

NAYS:

VOTE:

AYES: Ms. Mershon, Mr. Donahue, Mr. Paini, Mr. Jarvis,
Ms. Eisnaugle, Dr. Bender

NAYS:

O-09-07B AN ORDINANCE TO AMEND THE STORMWATER MANAGEMENT CODE
ADOPTED BY ORDINANCE NO. 28-05 TO ESTABLISH ILLICIT DISCHARGE
AND OBSTRUCTION OFFENCES

2nd Reading

Sponsor: Mr. Paini

Mr. Paini gave second reading of the draft ordinance.

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Mr. Paini gave second reading of the draft ordinance.

Mr. Donahue gave the third reading. Mr. Donahue moved that this ordinance #54-07 be accepted. . Ms. Eisnaugle seconded the motion. All ayes motion carried

NAYS:

Sponsor: Mrs. Turner

O-07-07G AN ORDINANCE TO AMEND PART 11 OF THE CODIFIED ORDINANCES AND THE ZONING MAP OF THE VILLAGE OF CANAL WINCHESTER, REZONING A 0.874 ACRE TRACT OF LAND FROM EXCEPTIONAL USE DEVELOPMENT (EU) TO PLANNED INDUSTRIAL UNIT (PID) OWNED BY THE VILLAGE OF CANAL WINCHESTER, LOCATED ON THE EAST SIDE OF DILEY ROAD APPROXIMATELY 800 FEET SOUTH OF DOVE PARKWAY

Mrs. Mershon gave the third reading. Mrs. Mershon moved that this ordinance #55-07 be accepted. Ms. Eisnaugle seconded the motion. All ayes motion carried.

NAYS:

Sponsor: Mr. Jarvis

O-08-07G AN ORDINANCE ESTABLISHING A PROHIBITION ON PERSONS WHO HAVE BEEN CONVICTED OF, ARE CONVICTED OF, WHO HAVE PLEADED GUILTY TO, OR WHO PLEAD GUILTY TO EITHER (1) A SEXUALLY ORIENTED OFFENSE THAT IS NOT A REGISTRATION-EXEMPT SEXUALLY ORIENTED OFFENSE FOR A CRIME COMMITTED AGAINST A CHILD OR (2) A CHILD-VICTIM ORIENTED OFFENSE; AND WHO HAVE BEEN CLASSIFIED AS EITHER A SEXUAL PREDATOR OR AS A SEXUALLY ORIENTED OFFENDER AS TO EITHER (1) OR (2) ABOVE, FROM ESTABLISHING A RESIDENCE OR OCCUPYING RESIDENTIAL PREMISES WITHIN ONE THOUSAND five hundred (1,500) FEET OF ANY PUBLIC OR PRIVATE SCHOOL PREMISE, LICENSED DAY CARE FACILITY, PRE-SCHOOL, PRIVATE or PUBLIC PARK OR PLAYGROUND, LIBRARY, OR PUBLIC SWIMMING POOL, AND DECLARING AN EMERGENCY.

Mr. Jarvis gave the third reading. Mr. Jarvis moved that this ordinance #56-07 be accepted. Mr. Donahue seconded the motion. All ayes motion carried.

NAYS:

RESOLUTIONS:

1ST READING

Sponsor: Mr. Jarvis

R-09-07A A RESOLUTION TO ADOPT THE DOWNTOWN CANAL WINCHESTER
PROPERTY ASSESSMENT AND EVALUATION STUDY DATED
SEPTEMBER 2007 VERSION 3.0

Mr. Jarvis gave the first reading.

2nd Reading:

Sponsor: Mrs. Mershon

R-08-07B A RESOLUTION TO ADOPT THE FIVE YEAR CAPITAL IMPROVEMENT
PLAN/MAINTENANCE OF EFFORT FOR THE CALENDAR YEARS 2008-2012
FOR THE VILLAGE OF CANAL WINCHESTER

Mrs. Mershon gave the second reading. Mrs. Mershon moved to wave the third reading. Motion was seconded by Mr. Jarvis. All ayes, motion carried.

VOTE: **AYES:** **Ms. Mershon, Mr. Donahue, Mr. Paini, Mr. Jarvis,**
 Ms. Eisnaugle, Dr. Bender

NAYS:

Mrs. Mershon moved to pass Resolution 11-07. Motion was seconded by Mr. Jarvis. All ayes, motion carried.

VOTE:

AYES: Ms. Mershon, Mr. Donahue, Mr. Paine, Mr. Jarvis,
Ms. Eisnagle, Dr. Bender

NAYS:

3rd: Reading:

Sponsor: Dr. Bender

R-08-07A A RESOLUTION TO AUTHORIZING THE MARKETING BRAND FOR THE
VILLAGE OF CANAL WINCHESTER

Mr. Jarvis moved to table the third reading of R-08-07A until Ms. Turner return. Motion was seconded by Mr. Panini. Ms. Eisnaugle and Mrs. Mershon disagree. Insufficient

ayes, move to table motion failed. Discussion ensued with proponents and detractors making their opinions known.

VOTE: **AYES:** **Mr. Paini, Mr. Jarvis, Dr. Bender**
 NAYS: **Ms. Mershon, Mr. Donahue, Ms. Eisnaugle**

Mr. Bender withdraws motion to pass resolution #12-07. Mr. Paini seconded the motion to withdraw.

Mr. Bender moved to pass 12-07, the image of the marketing brand without the tagline. Motion seconded by Mr. Paini. During discussion Mr. Donahue greatly disagreed with voting on the marketing brand without the tagline as it was not the committee's recommendation, or was not known whether it was running the committee's recommendation. Insufficient ayes move to pass 12-07 without tagline. Motion defeated.

VOTE: **AYES:** **Mr. Paini, Mr. Jarvis, Dr. Bender**
 NAYS: **Ms. Mershon, Mr. Donahue, Ms. Eisnaugle**

Mayor's Report:

Mayor Miller would like to thank the council for the important exercise in democracy, describing the rigorous debate surrounding R-08-07A.

Mayor Miller would like to inform the council of construction of the new medical building in town. The Mayor would like to thank the council for approving the site.

Jones crew thanked for speedy response to the water main break, and software glitch in the water delivery system.

A Joint Economic Development Agreement between Lancaster and Canal Winchester meeting went well with many questions answered and many more proposed. Council members were asked to keep attending the meetings as they take place.

Meet with Kim Miller-Smith the new superintendent of the schools. Spoke with her about the tennis courts issue. Schools are committed to building enough tennis courts for a match.

Downtown Property Assessment has reports of vandalism on Friday.

Middle School has been allowed to use the water and waste water system.

Carrie Hover has begun as Community Affairs Director. Carrie was impressed with the village celebration.

Altercare, a new nursing home, is acting on plans to build a new assisted care facility. The Village is working with the neighborhood to make the building and grounds aesthetically appealing.

Public Works Director:

Mr. Peoples will be meeting with the new superintendent to discuss safe school routes for students. The Public Works Director will be turning in an application to the Dept. of Transportation later this week for approval.

Proud to announce the new street sweeper is working well and did a good job cleaning up after the parade on Labor Day.

The Public Works Department is putting together a construction project for Winchester Trees, a new park by the water plant, in order to fix the pavement.

At the Water Treatment plant there was a hiccup in the system causing some discoloration of the water. The Water Treatment plant is 97% complete. Last weekend was the first weekend without a callout to fix a problem since the new system was installed.

Columbus street sanitary sewer evaluations are sending out letters to those with illegal connections to the waste water treatment system. They are actively working to remove those illegal connections.

Dick Miller will be taking down the flowers on Thursday, as it will be their last day.

Development Director:

Mr. Strayer spoke with the developer on Cemetery road. They are working to have the area rezoned. Council can expect to hear more about this and have a request for rezoning in the future.

He is meeting with Central Ohio CIC for the Marathon station on Friday, and they have found some new funding sources through the EPA, the Ohio Department of Development and the Ohio Department of Commerce.

Retention interviews were conducted with local business owners in the village in order to get a better understanding of the economic state of the village and how the community can help facilitate the expansion of the different businesses.

Mr. Strayer is currently working with bakery and deli on West Waterloo to develop a business plan, currently in the financing stage.

Discussion with a company to develop an office building on Canal Point with 10,000 square feet. Preliminary approval is given and they are working to move the project forward and break ground as soon as possible.

Village Solicitor's Report:

The Village Solicitor has no report other than as the mayor has mentioned a special session is needed to discuss pending litigation.

Fairfield County Sheriff's Report:

The sheriff discussed the traffic situation and the problems experienced during the Labor Day weekend.

Kids got into Davis Paints and set off the fire extinguishers, the EPA was called and will respond.

Theft was reported at the Meijer construction site. Tools and materials were stolen. The theft is believed to be a part of a wider theft spree in the county.

9 Golf Carts were registered with the Sheriff's department since the last meeting.

The different calls the Sheriff responded to were discussed. A worksheet illustrates the types of calls that they have received.

Finance Director's Report:

The Finance Director was not present. Her written report was included.

Council Reports:

Service Committee:	Monday, September 10, 2007 at 5:00 p.m.
Finance Committee:	Monday, September 24, 2007 at 5:00 p.m.
Safety Committee:	Monday, September 17, 2007 at 6:00 p.m.
Old Town Committee:	Tuesday, September 4, 2007 at 6:00 p.m.
Committee of Whole:	Monday, September 24, 2007 at 6:30 PM at Steube Community Center

New Business:

Many complaints have been made regarding trailers parked in the street. The Village has resolved this issue and has been fielding the calls instead of the Sheriff's office since it is a zoning issues and not a criminal issue.

Old Business:

Mr. Jarvis moved to award a Grant to the Friends for Life Animal Haven in the amount of \$4700.00.

Mrs. Eisnaugle seconded the motion. All Ayes, motion carried.

**VOTE: AYES: Ms. Mershon, Mr. Paini, Mr. Jarvis, Ms. Eisnaugle,
Mr. Donahue, Dr. Bender**

NAYS:

Adjourn to Executive Session:

Ms. Eisnaugle moved to adjourn to Executive Session for potential litigation. Mr. Donahue seconded the motion. All ayes, motion carried.

**VOTE: AYES: Ms. Mershon, Mr. Paini, Mr. Jarvis, Ms. Eisnaugle,
Mr. Donahue, Dr. Bender**

NAYS:

Time out 9:05 PM.

Dr. Bender returned the group from executive session at 9:37 PM with no action taken.

Adjournment:

Mr. Donahue moved to adjourn the meeting of Council and was seconded by Mr. Paini. All ayes, motion carried.

**VOTE: AYES: Mr. Donahue, Mr. Paini, Dr. Bender, Ms. Eisnaugle, Mr. Jarvis,
Ms. Mershon**

NAYS:

Time out 09:37 PM.

Date

Jeffrey J. Miller, Mayor

Administrative Assistant

NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.